

REMARKS

Claims 29-40 are pending in this application. By this Amendment, claims 29, 31 and 38-40 are amended. Reconsideration of the present application based on the above amendment and the following remarks is respectfully requested.

I. Information Disclosure Statements

An Information Disclosure Statement with Form PTO-1449 was filed in the above-identified patent application on January 30, 2003. Applicants have received from the Examiner a copy of the Form PTO-1449 initialed to acknowledge the fact that the Examiner has considered the first three references disclosed on the Form PTO-1449. However, the Examiner fail to initial the fourth reference (EP 0 899 986 A1, dated 03/1999). The Examiner is requested to initial and return to the undersigned representative a copy of the Form PTO-1449 initialed to acknowledge that the Examiner has considered all of the information. A copy of Form PTO-1449, dated January 30, 2003, is attached for the Examiner's convenience.

Moreover, Information Disclosure Statements with Form PTO-1449 were filed with the Patent Office on May 12 and May 19, 2003. Clean copies of the Forms PTO-1449 submitted on these dates are attached. These Information Disclosure Statements included copies of patent applications. Attached are the PTO receipts for these submissions acknowledging that the references were submitted to the Patent Office on these dates. The Examiner is respectfully requested to review and initial to acknowledge consideration of the disclosed information on the attached Forms PTO-1449 or to explain why the references were not considered.

II. The Claims Define Allowable Subject Matter

The Office Action rejects claims 29, 30, 32-35 and 37 under 35 U.S.C. §103(a) as being unpatentable over JP-A-11-204238 in view of U.S. Patent No. 1,998,764 to Jordan; U.S. Patent No. 5,331,134 to Kimura; and further in view of U.S. Patent No. 6,133,557 to Kawanabe; and claims 31, 36 and 38-40 under 35 U.S.C. §103(a) as being unpatentable over JP-11-204238 in view of Jordan, Kimura, Kawanabe, and further in view of U.S. Patent No. 5,616,024 to Nobori. These rejections are respectfully traversed.

JP-A-11-204238 appears to disclose an offset of the heat generation body embedded in the ceramic based substrate (Figs. 5(a)-(c), paragraphs [0036]-[0038]). Moreover, JP-11-204238 discloses a mesh with a wire diameter between 0.013 mm and 0.8 mm (paragraph [0022]).

As such, the present amendment is directed to better define the features of claim 29 over the disclosure of JP-A-11-204238 cited above. For example, JP-A-11-204238 fails to disclose a ceramic heater for heating a wafer, comprising a disk-shaped ceramic sintered substrate and a heat generation pattern formed in an interior of the ceramic sintered substrate; the heat generation pattern not overlapping itself in a contacting manner, as claimed in claim 29.

In JP-A-11-204238, on the other hand, as clearly shown in Figs. 5(a)-(c), the heat generation pattern 22A includes a portion of the heat generation pattern 24A overlapping a portion of the heat generating pattern 23A in a contacting manner. Figs. 5(b)-(c) have a similar structure of the heat generation pattern overlapping itself in a contacting manner.

Thus, JP-A-11-204238 does not provide a ceramic heater for heating a wafer, comprising a disk-shaped ceramic sintered substrate and a heat generation pattern formed in an interior of the ceramic sintered substrate; the heat generation pattern not overlapping itself in a contacting manner.

Moreover, it is respectfully submitted that, regardless of the teachings of Jordan, Kimura, Kawanabe and Nobori, one of ordinary skill in the art could not modified in a way that would result in the combination of features recited in claim 29, without changing the principle of operation of JP-A-11-204238.

As such, for at least the reasons discussed above, it is respectfully that claim 29 is distinguishable over the applied art. Furthermore, those claims which depend from claim 29 are likewise distinguishable over the applied art for at least the reasons discussed above, as well as for additional features they recite. Accordingly, withdrawal of the rejections is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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JAO:JLC/aaw

Attachments:

Request for Continued Examination (RCE)
Form PTO-1449 dated January 30, 2003
Form PTO-1449 dated May 12, 2003
Form PTO-1449 dated May 19, 2003
PTO Receipt dated May 12, 2003
PTO Receipt dated May 19, 2003

Date: September 9, 2004

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